



# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## ☞ Appendix B ... segment I

### LRB BILL HISTORY RESEARCH APPENDIX

☞ The drafting file for 2011 LRB-0150/1 (For: DOA)

has been copied/added to the drafting file for

**2011 LRB-1019** (For: DOA)



## **RESEARCH APPENDIX -** **PLEASE KEEP WITH THE DRAFTING FILE**

Date Transfer Requested: 02/15/2011 (Per: FFK)

☞ The attached 2009 draft was incorporated into the new 2009 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2009 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

**2011 DRAFTING REQUEST****Bill**

Received: 09/28/2010

Received By: pkahler

Wanted: As time permits

Companion to LRB:

For: Administration-Budget

By/Representing: Skwarczek

May Contact:

Drafter: pkahler

Subject: Public Assistance - misc

Addl. Drafters:

Extra Copies:

Submit via email: NO

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**Pre Topic:**

DOA:.....Skwarczek, BB0003 -

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**Topic:**

Cemetery, Funeral, and Burial Aids Program appropriation

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**Instructions:**

See attached

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**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u>        | <u>Reviewed</u>        | <u>Typed</u>           | <u>Proofed</u> | <u>Submitted</u>       | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|------------------------|------------------------|----------------|------------------------|-----------------|-----------------|
| /?           | pkahler<br>09/29/2010 | wjackson<br>09/30/2010 |                        | _____          |                        |                 |                 |
| /P1          |                       |                        | phenry<br>10/01/2010   | _____          | sbasford<br>10/01/2010 |                 |                 |
| /1           | pkahler<br>01/10/2011 | wjackson<br>01/12/2011 | jfrantze<br>01/13/2011 | _____          | sbasford<br>01/13/2011 |                 |                 |

FE Sent For:

&lt;END&gt;

**2011 DRAFTING REQUEST**

**Bill**

Received: 09/28/2010

Received By: pkahler

Wanted: As time permits

Companion to LRB:

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Submit via email: NO

**Pre Topic:**

DOA:.....Skwarczek, BB0003 -

**Topic:**

Cemetery, Funeral, and Burial Aids Program appropriation

**Instructions:**

See attached

**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
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|    |                       |                        |  |  |  |  |  |
|----|-----------------------|------------------------|--|--|--|--|--|
| /? | pkahler<br>09/29/2010 | wjackson<br>09/30/2010 |  |  |  |  |  |
|----|-----------------------|------------------------|--|--|--|--|--|

|     |  |            |                      |  |                        |  |  |
|-----|--|------------|----------------------|--|------------------------|--|--|
| /P1 |  | 1 wly 1/12 | phenry<br>10/01/2010 |  | sbasford<br>10/01/2010 |  |  |
|-----|--|------------|----------------------|--|------------------------|--|--|

FE Sent For:

1/13  
1/13  
<END>

**2011 DRAFTING REQUEST**

**Bill**

Received: 09/28/2010

Received By: pkahler

Wanted: As time permits

Companion to LRB:

For: Administration-Budget

By/Representing: Skwarczek

May Contact:

Drafter: pkahler

Subject: Public Assistance - misc

Addl. Drafters:

Extra Copies:

Submit via email: NO

---

**Pre Topic:**

DOA:.....Skwarczek, BB0003 -

---

**Topic:**

Cemetery, Funeral, and Burial Aids Program appropriation

---

**Instructions:**

See attached

---

**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
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|    |         |              |            |                      |  |  |  |
|----|---------|--------------|------------|----------------------|--|--|--|
| /? | pkahler | /pl WLj 9/30 | /10<br>1ph | <del>10</del><br>1ph |  |  |  |
|----|---------|--------------|------------|----------------------|--|--|--|

FE Sent For:

<END>

## 2011-13 Budget Bill Statutory Language Drafting Request

- Topic: Wisconsin Funeral and Cemetery Aids Program
- Tracking Code: BB0003
- SBO team: HSI
- SBO analyst: Marta Skwarczek
  - Phone: 267-7980
  - Email: [marta.skwarczek@gmail.com](mailto:marta.skwarczek@gmail.com)
- Agency acronym: DHS
- Agency number: 435
- Priority (Low, Medium, High): Medium

Intent:

Remove references to s. 49.785 from 20.435(4)(bn).

↓ ↓  
49.78(8)(a) 49.785(2)

Create a new GPR biennial appropriation, 20.435(4)(br): Funeral and Cemetery Aids Program for funeral expenses under s. 49.785 and for payments under s. 49.78(8) relating to the administration of the cemetery, funeral, and burial program under s. 49.785.

49.845(1)



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-0150/P1  
PJK:wlj:ph

DOA:.....Skwarczek, BB0003 - Cemetery, Funeral, and Burial Aids Program  
appropriation

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT** ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**PUBLIC ASSISTANCE**

Under the cemetery, funeral, and burial expenses program in current law, county departments of social services or human services (county departments) pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits and whose estates are insufficient to pay those expenses. DHS reimburses the county departments for those payments from a general purpose revenue (GPR) appropriation out of which DHS also pays county departments for administering the income maintenance programs, which include the Medical Assistance program, the Badger Care health care program, the food stamp program, and the cemetery, funeral, and burial expenses program.

This bill excludes payments for cemetery, funeral, and burial expenses and for administering the cemetery, funeral, and burial expenses program from that existing GPR appropriation and creates a new GPR appropriation for paying the cemetery, funeral, and burial expenses and for administering the cemetery, funeral, and burial expenses program.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 20.435 (4) (bn) of the statutes is amended to read:

2           20.435 (4) (bn) *Income maintenance.* Biennially, the amounts in the schedule  
3 ~~for funeral expenses under s. 49.785,~~ for administration of the food stamp  
4 employment and training program under s. 49.79 (9), for the performance of income  
5 maintenance administrative activities, other than administrative activities relating  
6 to the cemetery, funeral, and burial expenses program under s. 49.785, on behalf of  
7 a local entity, as defined in s. 30.77 (3) (dm) 1. b., and for payments under s. 49.78  
8 (8) relating to the administration of the Medical Assistance program under subch.  
9 IV of ch. 49, the Badger Care health care program under s. 49.665, and the food stamp  
10 program, ~~and the cemetery, funeral, and burial expenses program under s. 49.785.~~

11           **SECTION 2.** 20.435 (4) (br) of the statutes is created to read:

12           20.435 (4) (br) *Cemetery, funeral, and burial expenses program.* Biennially, the  
13 amounts in the schedule for cemetery, funeral, and burial expenses under s. 49.785,  
14 for payments under s. 49.78 (8) relating to the administration of the cemetery,  
15 funeral, and burial expenses program under s. 49.785, and for the performance of  
16 administrative activities relating to the cemetery, funeral, and burial expenses  
17 program under s. 49.785 on behalf of a local entity, as defined in s. 30.77 (3) (dm) 1.  
18 b.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

      \*\*\*\*NOTE: Since the cemetery, funeral, and burial expenses program is an income maintenance program, I added "for administrative activities relating to the cemetery, funeral, and burial expenses program on behalf of a local entity, as defined in s. 30.77 (3) (dm) 1. b." since I removed that purpose from s. 20.435 (4) (bn), but I'm not sure what the significance is or if it is needed.

19           **SECTION 3.** 49.78 (8) (a) of the statutes is amended to read:

20           49.78 (8) (a) From the appropriation accounts under s. 20.435 (4) (bn), (br), and  
21 (nn) and subject to par. (b), the department shall reimburse each county and tribal

1 governing body that contracts with the department under sub. (2) for reasonable  
2 costs of administering the income maintenance programs, including conducting  
3 fraud prevention activities. The amount of each reimbursement paid under this  
4 paragraph shall be calculated using a formula based on workload within the limits  
5 of available state and federal funds under s. 20.435 (4) (bn), (br), and (nn) by contract  
6 under sub. (2). The amount of reimbursement calculated under this paragraph and  
7 par. (b) is in addition to any reimbursement provided to a county or tribal governing  
8 body for fraud and error reduction under s. 49.197 or 49.845.

9 **SECTION 4.** 49.785 (2) of the statutes is amended to read:

10 49.785 (2) From the appropriation under s. 20.435 (4) ~~(bn)~~ (br), the department  
11 shall reimburse a county or applicable tribal governing body or organization for any  
12 amount that the county or applicable tribal governing body or organization is  
13 required to pay under sub. (1) if the county or applicable tribal governing body or  
14 organization complies with sub. (3). From the appropriation under s. 20.435 (4) ~~(bn)~~  
15 (br), the department shall reimburse a county or applicable tribal governing body or  
16 organization for cemetery expenses or for funeral and burial expenses for a person  
17 described under sub. (1) that the county or applicable tribal governing body or  
18 organization is not required to pay under subs. (1) and (1m) only if the department  
19 approves the reimbursement due to unusual circumstances and if the county or  
20 applicable tribal governing body or organization complies with sub. (3).

21 (END)



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-0150

PJK

WLj

PI

DOA:.....Skwarczek, BB0003 - Cemetery, Funeral, and Burial Aids Program  
appropriation

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

(in 9-29)

1

*do not get cut*  
**AN ACT relating to: the budget.**

*Analysis by the Legislative Reference Bureau*

✓ **HEALTH AND HUMAN SERVICES**

✓ **PUBLIC ASSISTANCE**

→ Under the cemetery, funeral, and burial expenses program in current law, county departments of social services or human services (county departments) pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits and whose estates are insufficient to pay those expenses. DHS reimburses the county departments for those payments from a general purpose revenue (GPR) appropriation out of which DHS also pays county departments for administering all of the income maintenance programs, which include the Medical Assistance program, the Badger Care health care program, the food stamp program, and the cemetery, funeral, and burial expenses program.

This bill excludes payments for cemetery, funeral, and burial expenses and for administering the cemetery, funeral, and burial expenses program from that existing GPR appropriation and creates a new GPR appropriation for paying the cemetery, funeral, and burial expenses and for administering the cemetery, funeral, and burial expenses program.

STET

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 20.435 (4) (bn) of the statutes is amended to read:

2           20.435 (4) (bn) *Income maintenance*. Biennially, the amounts in the schedule  
 3           ~~for funeral expenses under s. 49.785,~~ for administration of the food stamp  
 4           employment and training program under s. 49.79 (9), for the performance of income  
 5           maintenance administrative activities, other than administration activities relating  
 6           to the cemetery, funeral, and burial expenses program under s. 49.785, on behalf of  
 7           a local entity, as defined in s. 30.77 (3) (dm) 1. b., and for payments under s. 49.78  
 8           (8) relating to the administration of the Medical Assistance program under subch.  
 9           IV of ch. 49, the Badger Care health care program under s. 49.665, and the food stamp  
 10          ~~program, and the cemetery, funeral, and burial expenses program under s. 49.785.~~

**History:** 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 103, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 45; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334.

11           **SECTION 2.** 20.435 (4) (br) of the statutes is created to read:

12           20.435 (4) (br) *Cemetery, funeral, and burial expenses program*. Biennially, the  
 13           amounts in the schedule for cemetery, funeral, and burial expenses under s. 49.785,  
 14           for payments under s. 49.78 (8) relating to the administration of the cemetery,  
 15           funeral, and burial expenses program under s. 49.785, and for the performance of  
 16           administrative activities relating to the cemetery, funeral, and burial expenses  
 17           program under s. 49.785 on behalf of a local entity, as defined in s. 30.77 (3) (dm) 1.  
 18           b.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: Since the cemetery, funeral, and burial expenses program is an income maintenance program, I added "for administrative activities relating to the cemetery, funeral, and burial expenses program on behalf of a local entity, as defined in s. 30.77 (3) (dm) 1," since I removed that purpose from s. 20.435 (4) (bn), but I'm not sure what the significance is or if it is needed.

1           **SECTION 3.** 49.78 (8) (a) of the statutes is amended to read:  
2           49.78 (8) (a) From the appropriation accounts under s. 20.435 (4) (bn), (br), and  
3           (nn) and subject to par. (b), the department shall reimburse each county and tribal  
4           governing body that contracts with the department under sub. (2) for reasonable  
5           costs of administering the income maintenance programs, including conducting  
6           fraud prevention activities. The amount of each reimbursement paid under this  
7           paragraph shall be calculated using a formula based on workload within the limits  
8           of available state and federal funds under s. 20.435 (4) (bn), (br), and (nn) by contract  
9           under sub. (2). The amount of reimbursement calculated under this paragraph and  
10          par. (b) is in addition to any reimbursement provided to a county or tribal governing  
11          body for fraud and error reduction under s. 49.197 or 49.845.

History: 1995 a. 27 ss. 2041 to 2049, 2933 to 2936, 3084 to 3087, 3130; 1995 a. 289, 417; 1997 a. 27; 2001 a. 16; 2003 a. 33 ss. 1308, 1448, 9160; Stats. 2003 s. 49.78; 2005 a. 25; 2007 a. 20; 2009 a. 15, 28.

12          **SECTION 4.** 49.785 (2) of the statutes is amended to read:  
13          49.785 (2) From the appropriation under s. 20.435 (4) (bn), (br), the department  
14          shall reimburse a county or applicable tribal governing body or organization for any  
15          amount that the county or applicable tribal governing body or organization is  
16          required to pay under sub. (1) if the county or applicable tribal governing body or  
17          organization complies with sub. (3). From the appropriation under s. 20.435 (4) (bn)  
18          (br), the department shall reimburse a county or applicable tribal governing body or  
19          organization for cemetery expenses or for funeral and burial expenses for a person  
20          described under sub. (1) that the county or applicable tribal governing body or

- 1 organization is not required to pay under subs. (1) and (1m) only if the department
- 2 approves the reimbursement due to unusual circumstances and if the county or
- 3 applicable tribal governing body or organization complies with sub. (3).

**History:** 1973 c. 147, 333; 1975 c. 39, 224; 1979 c. 206; 1981 c. 20; 1985 a. 29, 176, 332; 1989 a. 31, 239; 1995 a. 27, 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33 s. 1302; Stats. 2003 s. 49.785; 2005 a. 25; 2007 a. 20; 2009 a. 15, 393; 13.92 (2) (i).

4

**(END)**

**Kahler, Pam**

---

**From:** Skwarczek, Marta A - DOA [Marta.Skwarczek@Wisconsin.gov]

**Sent:** Sunday, January 09, 2011 2:32 PM

**To:** Kahler, Pam

**Subject:** BB0002 and BB0003

Pam,

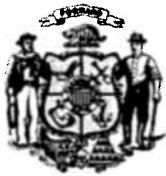
The draft for BB0002, FoodShare benefits for qualified aliens (LRB-0151) looks good and can be finalized. For BB0003, Cemetery, Funeral, and Burial Aids Program, (LRB-0150) I don't think that the change in section 1 lines 5 and 6 "other than administrative activities relating to the cemetery, funeral, and burial expenses program under 49.785," is necessary. However, other than that, I think it looks good and can also be finalized.

Thanks.

**Marta Skwarczek**

Wisconsin Department of Administration  
Division of Executive Budget and Finance  
Health Services and Insurance Team  
Executive Policy and Budget Analyst  
608-267-7980

1/10/2011



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-0150/

PJK:wlj:ph

(stays)

run

DOA:.....Skwarczek, BB0003 - Cemetery, Funeral, and Burial Aids Program  
appropriation

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

D-note  
(in 1-10)

do not get cut

1 AN ACT relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**PUBLIC ASSISTANCE**

Under the cemetery, funeral, and burial expenses program in current law, county departments of social services or human services (county departments) pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits and whose estates are insufficient to pay those expenses. DHS reimburses the county departments for those payments from a general purpose revenue (GPR) appropriation out of which DHS also pays county departments for administering the income maintenance programs, which include the Medical Assistance program, the Badger Care health care program, the food stamp program, and the cemetery, funeral, and burial expenses program.

This bill excludes payments for cemetery, funeral, and burial expenses and for administering the cemetery, funeral, and burial expenses program from that existing GPR appropriation and creates a new GPR appropriation for paying the cemetery, funeral, and burial expenses and for administering the cemetery, funeral, and burial expenses program.

LPS: No changes in analysis.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 20.435 (4) (bn) of the statutes is amended to read:

2           20.435 (4) (bn) *Income maintenance.* Biennially, the amounts in the schedule  
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4 employment and training program under s. 49.79 (9), for the performance of income  
5 maintenance administrative activities other than administrative activities relating  
6 to the cemetery, funeral, and burial expenses program under s. 49.785, on behalf of  
7 a local entity, as defined in s. 30.77 (3) (dm) 1. b., and for payments under s. 49.78  
8 (8) relating to the administration of the Medical Assistance program under subch.  
9 IV of ch. 49, the Badger Care health care program under s. 49.665, and the food stamp  
10 program, ~~and the cemetery, funeral, and burial expenses program under s. 49.785.~~

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12           20.435 (4) (br) *Cemetery, funeral, and burial expenses program.* Biennially, the  
13 amounts in the schedule for cemetery, funeral, and burial expenses under s. 49.785  
14 and for payments under s. 49.78 (8) relating to the administration of the cemetery,  
15 funeral, and burial expenses program under s. 49.785, and for the performance of  
16 administrative activities relating to the cemetery, funeral, and burial expenses  
17 program under s. 49.785 on behalf of a local entity, as defined in s. 30.77 (3) (dm) 1.  
18 b.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: Since the cemetery, funeral, and burial expenses program is an income maintenance program, I added "for administrative activities relating to the cemetery, funeral, and burial expenses program on behalf of a local entity, as defined in s. 30.77 (3) (dm) 1. b." since I removed that purpose from s. 20.435 (4) (bn), but I'm not sure what the significance is or if it is needed.

19           **SECTION 3.** 49.78 (8) (a) of the statutes is amended to read:

20           49.78 (8) (a) From the appropriation accounts under s. 20.435 (4) (bn), (br), and  
21 (nn) and subject to par. (b), the department shall reimburse each county and tribal

1 governing body that contracts with the department under sub. (2) for reasonable  
2 costs of administering the income maintenance programs, including conducting  
3 fraud prevention activities. The amount of each reimbursement paid under this  
4 paragraph shall be calculated using a formula based on workload within the limits  
5 of available state and federal funds under s. 20.435 (4) (bn), (br), and (nn) by contract  
6 under sub. (2). The amount of reimbursement calculated under this paragraph and  
7 par. (b) is in addition to any reimbursement provided to a county or tribal governing  
8 body for fraud and error reduction under s. 49.197 or 49.845.

9 **SECTION 4.** 49.785 (2) of the statutes is amended to read:

10 49.785 (2) From the appropriation under s. 20.435 (4) ~~(bn)~~ (br), the department  
11 shall reimburse a county or applicable tribal governing body or organization for any  
12 amount that the county or applicable tribal governing body or organization is  
13 required to pay under sub. (1) if the county or applicable tribal governing body or  
14 organization complies with sub. (3). From the appropriation under s. 20.435 (4) ~~(bn)~~  
15 (br), the department shall reimburse a county or applicable tribal governing body or  
16 organization for cemetery expenses or for funeral and burial expenses for a person  
17 described under sub. (1) that the county or applicable tribal governing body or  
18 organization is not required to pay under subs. (1) and (1m) only if the department  
19 approves the reimbursement due to unusual circumstances and if the county or  
20 applicable tribal governing body or organization complies with sub. (3).

21 (END)

*D-note*

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0150/1dn

PJK:|:...

Wlj

Date

Marta:

Please note that in this redraft I removed the new language about IM administrative activities relating to the cemetery, funeral, and burial expenses program on behalf of a local entity in ~~ss. 20.435 (4) (bn) and 20.435 (4) (br).~~

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: pam.kahler@legis.wisconsin.gov

No  
99

Be sure to let me know if you wanted  
to keep it in so 20.435(4)(br) ✓

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0150/1dn  
PJK:wljjf

January 13, 2011

Marta:

Please note that in this redraft I removed the new language about IM administrative activities relating to the cemetery, funeral, and burial expenses program on behalf of a local entity in s. 20.435 (4) (bn) and (br). Be sure to let me know if you wanted to keep it in s. 20.435 (4) (br).

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.wisconsin.gov](mailto:pam.kahler@legis.wisconsin.gov)



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-0150/1  
PJK:wlj:jf

DOA:.....Skwarczek, BB0003 - Cemetery, Funeral, and Burial Aids Program  
appropriation

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to: the budget.**

---

*Analysis by the Legislative Reference Bureau*  
**HEALTH AND HUMAN SERVICES**

**PUBLIC ASSISTANCE**

Under the cemetery, funeral, and burial expenses program in current law, county departments of social services or human services (county departments) pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits and whose estates are insufficient to pay those expenses. DHS reimburses the county departments for those payments from a general purpose revenue (GPR) appropriation out of which DHS also pays county departments for administering the income maintenance programs, which include the Medical Assistance program, the Badger Care health care program, the food stamp program, and the cemetery, funeral, and burial expenses program.

This bill excludes payments for cemetery, funeral, and burial expenses and for administering the cemetery, funeral, and burial expenses program from that existing GPR appropriation and creates a new GPR appropriation for paying the cemetery, funeral, and burial expenses and for administering the cemetery, funeral, and burial expenses program.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 20.435 (4) (bn) of the statutes is amended to read:

2           20.435 (4) (bn) *Income maintenance*. Biennially, the amounts in the schedule  
3 ~~for funeral expenses under s. 49.785,~~ for administration of the food stamp  
4 employment and training program under s. 49.79 (9), for the performance of income  
5 maintenance administrative activities on behalf of a local entity, as defined in s.  
6 30.77 (3) (dm) 1. b., and for payments under s. 49.78 (8) relating to the administration  
7 of the Medical Assistance program under subch. IV of ch. 49, the Badger Care health  
8 care program under s. 49.665, and the food stamp program, ~~and the cemetery,~~  
9 ~~funeral, and burial expenses program under s. 49.785.~~

10          **SECTION 2.** 20.435 (4) (br) of the statutes is created to read:

11          20.435 (4) (br) *Cemetery, funeral, and burial expenses program*. Biennially, the  
12 amounts in the schedule for cemetery, funeral, and burial expenses under s. 49.785  
13 and for payments under s. 49.78 (8) relating to the administration of the cemetery,  
14 funeral, and burial expenses program under s. 49.785.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

15          **SECTION 3.** 49.78 (8) (a) of the statutes is amended to read:

16          49.78 (8) (a) From the appropriation accounts under s. 20.435 (4) (bn), (br), and  
17 (nn) and subject to par. (b), the department shall reimburse each county and tribal  
18 governing body that contracts with the department under sub. (2) for reasonable  
19 costs of administering the income maintenance programs, including conducting  
20 fraud prevention activities. The amount of each reimbursement paid under this  
21 paragraph shall be calculated using a formula based on workload within the limits  
22 of available state and federal funds under s. 20.435 (4) (bn), (br), and (nn) by contract  
23 under sub. (2). The amount of reimbursement calculated under this paragraph and

1 par. (b) is in addition to any reimbursement provided to a county or tribal governing  
2 body for fraud and error reduction under s. 49.197 or 49.845.

3 SECTION 4. 49.785 (2) of the statutes is amended to read:

4 49.785 (2) From the appropriation under s. 20.435 (4) ~~(bn)~~ (br), the department  
5 shall reimburse a county or applicable tribal governing body or organization for any  
6 amount that the county or applicable tribal governing body or organization is  
7 required to pay under sub. (1) if the county or applicable tribal governing body or  
8 organization complies with sub. (3). From the appropriation under s. 20.435 (4) ~~(bn)~~  
9 (br), the department shall reimburse a county or applicable tribal governing body or  
10 organization for cemetery expenses or for funeral and burial expenses for a person  
11 described under sub. (1) that the county or applicable tribal governing body or  
12 organization is not required to pay under subs. (1) and (1m) only if the department  
13 approves the reimbursement due to unusual circumstances and if the county or  
14 applicable tribal governing body or organization complies with sub. (3).

15 (END)